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PATENT & TRADEMARK OFFICE

TRANSMITTAL LETTER			Case No. 8285/488
Serial No. 10/038,502	Filing Date December 20, 2001	Examiner Not Yet Assigned	Group Art Unit Not Yet Assigned
Inventor(s) PIERRE COSTA			
Title of Invention METHOD AND SYSTEM FOR PROVIDING CONTROLLED IMPAIRMENTS TO AN OPTICAL TRANSPORT SYSTEM			

TO THE COMMISSIONER FOR PATENTS


Transmitted herewith is Notice to File Missing Parts of Nonprovisional Application (1 page); Response to Notice to File Missing Parts of Nonprovisional Application (2 pages in duplicate); Fully executed Patent Application Declaration Combined with Power of Attorney (3 pages); Assignment (2 pages); Assignment Recordal Cover Sheet (1 page) Check-\$40.00 for Assignment Recordation Fee; Postcard Receipt.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- ☐ Petition for a _____ month extension of time.
- ☐ The fee has been calculated as shown below:

					Small Entity		Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus			x \$9 =		x \$18 =	\$
Indep.		Minus			x 42 =		x \$84 =	
First Presentation of Multiple Dep. Claim					+ \$140 =		+ \$280 =	
					Total add'l fee	\$	total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$1,236.00 to cover the filing fee of \$740.00, the surcharge fee of \$130.00 and the additional claims fee of \$366.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,


 Joseph F. Hetz
 Registration No. 41,070
 Attorney for Applicant

BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, ILLINOIS 60610
 (312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on March 21, 2002.

Date: March 21, 2002

Signature: 

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents
Washington, D.C. 20231
on March 21, 2002

Date of Deposit

Joseph F. Hetz - Reg. No. 41,070

Name of applicant, assignee or
Registered Representative

Signature

Date of Signature



Case No. 8285/488

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

PIERRE COSTA

Serial No.: 10/038,502

Filed: December 20, 2001

For: METHOD AND SYSTEM FOR
PROVIDING CONTROLLED
IMPAIRMENTS TO AN OPTICAL
TRANSPORT SYSTEM

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

Commissioner for Patents
Washington, D.C. 20231

Attn.: Box Missing Parts

Dear Sir:


In accordance with the Notice to File Missing Parts of Application Filing Date Granted dated February 7, 2002, a copy of which is attached, enclosed herewith for filing are the following documents:

- ☒ Fully executed Patent Application Declaration combined with Power of Attorney (3 pages).

- ☒ Applicant is:
- ☐ a small entity, verified statement is:
- ☐ attached
- ☐ already filed
- ☒ other than small entity
- ☒ Checks totaling \$1,236.00 for:
- ☒ Filing Fee of \$740.00.
- ☒ Surcharge of \$130.00.
- ☒ Additional Claim Fees of \$366.00.
- ☒ 1 Check totaling \$40.00 for:
- ☒ Assignment Recordation Fee of \$40.00.
- ☒ Other: Assignment (2 pages); Assignment Recordation Cover Sheet (1 page); Postcard Receipt.
- ☒ The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

Respectfully submitted,

Dated: March 21, 2002

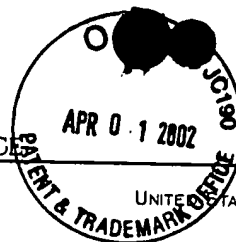


Joseph F. Hetz
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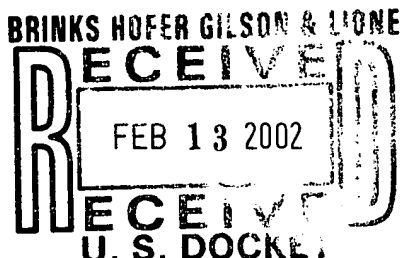


UNITED STATES PATENT AND TRADEMARK OFFICE


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 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/038,502	12/20/2001	Pierre Costa	8285/488

CONFIRMATION NO. 5494

 BRINKS HOFER GILSON & LIONE
 SUITE 3600
 455 N. CITYFRONT PLAZA DR.
 CHICAGO, IL 60611


FORMALITIES LETTER



OC000000007439343

Date Mailed: 02/07/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

04/02/2002 BSAYAS11 00000063 10038502

FILED UNDER 37 CFR 1.53(b)

01 FC:101	740.00 OP
02 FC:102	168.00 OP
03 FC:103	198.00 OP
04 FC:105	130.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$366.
 - \$198 for 11 total claims over 20.
 - \$168 for 2 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1236.**

*A copy of this notice **MUST** be returned with the reply.*

 Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE